

In re Patent Application of:
SAUNDERS ET AL.
Serial No. 10/730,753
Filed: 12/08/2003

REMARKS

The Examiner has required a restriction under 35 U.S.C. § 121 and requests Applicants to elect one of Groups I or II for further prosecution on the merits.

Group I, Claims 1-23, are drawn to a base transceivers compiling an aggregate list of available channels for communication based on received messages from remote units indicating available clear channels and submitting list to remote transceivers, classified in class 370, subclass 450.

Group II, Claims 23-31 [*sic*- 24-31], are drawn to unlicensed base transceivers communicating in sub-bandwidth of clear licensed channels not being used by licensed subscribers, classified in class 370, subclass 329.

Applicants hereby elect Group I, Claims 1-23, drawn to a base transceivers compiling an aggregate list of available channels for communication based on received messages from remote units indicating available clear channels and submitting list to remote transceivers, classified in class 370, subclass 450.

The election is made without traverse.

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If prosecution on the merits can be advanced through a telephonic interview, the Examiner is encouraged to contact the undersigned attorney at the number listed below.

If any extension and/or fee is required, authorization is given to charge Deposit Account No. **01-0484**.

Respectfully submitted,



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